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***Arguments For And Against The Change Of Government
Proposal***

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The Case in Favor of the Mayor-Council Form of Government

by George Mitrovich

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Seventy-three years ago the people of San Diego voted to adopt a council-manager form of government. At the time of that election, 1931, the population of our town was approximately 150,000. In the intervening years a great many things have changed in San Diego, not least the size of our city, now the nation's seventh largest, but one constant has remained-council-manager government.

It is not widely understood that under our council-manager government the real authority to run the city, as distinct from the perceived authority, lies solely in the hands of the city manager. Poll after poll shows that by far most people believe the authority to run San Diego belongs to the mayor-who unlike Councilmembers is elected citywide-but the mayor doesn't have this authority.

What that means is the control of city government resides with an individual neither elected by nor directly accountable to the people of San Diego. You may wish, for a moment, to reflect upon that fact: "neither elected by nor directly accountable to the people of San Diego."

In the face of mounting city problems-budget deficits, under-funded pensions plans, infrastructure breakdowns, too few police and firefighters, etc.-a growing number of people, unhappy with confused lines of authority and uncertain over who's accountable for this depressing state of affairs, have invested more than five years and thousands of hours examining, page-by-page, code section-by-code section, the 74-year-old City Charter. This group of citizen volunteers, acting in the highest traditions of our nation's history-

remember, it was "citizen volunteers" who gathered in Philadelphia in 1776-concluded that what San Diego needs most is a change in the governmental structure of our city; that council-manager no longer works in a city of more than 1.2 million people; that the person who runs our city should be the same person who's elected by the people of San Diego-the mayor and council; that, in the end, it is inherently undemocratic for the control of the city to rest with an unelected city manager.

To get to this point-the proposal that city government be changed from council-manager to mayor-council government-this group of citizen volunteers held countless public meetings, including some that were televised; spoke to more than 60 civic groups, from Barrio Logan to Ranch Bernardo; and endeavored to make sure at their Saturday morning meetings at California Western Law School that anyone who desired to attend and participate, was welcomed to do so.

As a result of this process-the process of reviewing the City Charter, debating its merits, considering alternatives to the city's 73 year-old document, and hearing from state and national experts on good government-the citizen volunteers chose, in open meetings and by majority votes, to propose that San Diego adopt a new mayor-council government. That original proposal, the culmination of 18 months of hard work that began in January of 1999, went before the city council. The council considered the proposal, then asked for more public meetings (arranged by the San Diego Chamber of Commerce and local Labor Council, all of which were televised), but when the proposal came back before them, the council voted not to place the proposed charter changes before the voters in the 2000 election.

It was there the matter rested until three months ago when Mayor Dick Murphy, frustrated by his own difficulties in attempting to move forward the bureaucracy, to make bureaucrats accountable to the will of the people, decided to ask the city council to again consider the proposal originally drafted by the citizen volunteers. That process is in full sway, with the council's Rules Committee voting to move the mayor-council government proposal before the full city council; with the intent, if it receives there a majority vote, to place the mayor-council proposal before the voters for their decision this November.

If the council chooses to give voters a chance to decide whether they want a new mayor-council government or to retain the old council-manager form, then it seems only fair and just that the people of San Diego have that right; that living as we do in a democratic society, enjoying, as we do, the blessings of liberty, that such a decision belongs properly, not to the mayor and council alone, but to We, The People.

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The Case Against the Strong Mayor Form of Government

by Harry Mathis

District One City Councilmember, 1993-2000

Today, some people are looking at San Diego in fiscal and political crisis and saying the answer lies in changing our form of government. Not minor fine tuning, mind you, but Draconian change. If someone could prove to me that the form of government which has served San Diego well for so many years is responsible for the problems we face, I might be more open to change. However, I am not aware of one shred of evidence to prove it. Nor has anyone suggested that a different form of government would have prevented some of our more pressing fiscal problems.

The very first paragraph of the proposal, in describing the present form of government, states that the City is governed by the Council consisting of the Mayor and Councilmembers, and that "the policies, rules, and decision of the Council are implemented by a City Manager." Now, what's wrong with that? The authority and accountability are clearly stated, and the governance requires a "team" approach rather than an adversarial tug of war between two finger-pointing, competing centers of power which would be created by this proposal. Under our current form, we have one of the leanest and most efficient bureaucracies in the country, with city departments run by professionals instead of political appointees.

In cases like this, one must not judge the merits of change by the personalities of the current crop of incumbents, because they will move on. Rather, the question must be asked: How much power to do harm does such a change give to a future Mayor who may lack the integrity and collegiality of a Dick Murphy? The answer is plenty!

The "strong mayor" proposal has been around since I served on this Council. It was far too drastic, and did not really solve anything except to make it easier for civic leaders and other vested interests to assert political influence over public policy. It was a way to end run the Councilmembers by giving the Mayor the tools to keep the Council in line. Based on experiences in other cities, this is the basic equation which applies: Strong Mayor=Weak Council.

The inherent weakness in this proposal is that it carries no justification. It simply says, in effect: "Here's the deal!" It suggests that it be implemented on a trial basis for five years, to be repealed automatically if not amended. Make no mistake about it: once implemented, a new power structure will evolve, staffs will be expanded, new positions created, new hires made. Once rung, this bell cannot and will not be un-rung!

Rather than get into a detailed critique of the proposal's content, let me conclude by challenging the public to ask the following sets of questions:

Do you want the Mayor to pursue his agenda by coercing Councilmembers through his control of city services to their districts? Do you want two competing, adversarial centers of power in city government? Or do you want the Mayor to work with the Council as a team member to pursue his agenda with their support on the basis of his leadership and the

merit of his agenda?

Do you want a Mayor ruling from the isolation of his office while Councilmembers are relegated to a subservient legislative role, prone to tie-vote impotence with resultant bickering and finger-pointing? Or do you want an inclusive Council forced to function as part of a team with a Mayor who shares the responsibility by having to register his vote on the issues?

I think the answer is clear. There is no established case to approve this proposal. You need a commission to study this whole issue of how the people can best be served through structural change, if it can be shown to be necessary, because the bottom line is how it will benefit the people. This needs to be done in a deliberate fashion apart from the governmental process. And, keep in mind, this would not preclude the Council from addressing specific issues, such as streamlining the budget process.

I think the magnitude of the issue of structural change carries with it a burden of caution. Any change that is proposed must specifically identify and document the problem, and detail how the change will correct it. The voters deserve no less than an adequate vetting of the issues before being asked to decide.

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